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April 7, 2000

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UNFAIR COMPETITION

Our Case Docket No. 980457.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION

The Commissioner of Patents and Trademarks
Washington, D. C. 20231

Jc135 U.S. PTO
09/545536
04/07/00

Sir:

Enclosed herewith for filing is the patent application of inventors, RODNEY W. SALO, KENNETH LLOYD BAKER, and LAWRENCE S. BAUMANN, for "CARDIAC RHYTHM MANAGEMENT SYSTEM WITH OPTIMIZATIN OF CARDIAC PERFORMANCE USING HEART RATE" together with the following:

- (1) One copy of nine (9) sheets of patent drawings;
- (2) The Declaration, Power of Attorney and Petition unexecuted by the inventors;
- (3) The filing and recording fees are calculated as follows:

Basic filing fee	\$ 690.00
Total number of claims in excess	
of 20, times \$18.00	\$ 0
Number of independent claims,	
minus 3, times \$78.00	\$ 0
Surcharge fee (\$260.00) for filing of	
multiple dependent claim(s) . .	\$ 0
Recording fee for assignment	\$ 0
Total	\$ 690.00

A check in the amount of \$690.00 is enclosed to cover the filing and recording fees thereon.

The Commissioner is authorized to charge any fees or refund any overpayment under 37 C.F.R. 1.16 and 1.17 which may be required by this paper to Deposit Account No. 08-1265.

Yours very truly,

NIKOLAI, MERSEREAU & DIETZ, P.A.

Kevin W. Cyr

Kevin W. Cyr
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KWC/acl
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09/545536 . 04/07/00

Express Mail No. EL504377502US

PATENT APPLICATION

Docket No. 980457.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : RODNEY W. SALO, ET AL. : April 7, 2000
For : CARDIAC RHYTHM MANAGEMENT SYSTEM WITH
OPTIMIZATION OF CARDIAC PERFORMANCE USING HEART
RATE

CERTIFICATE OF MAILING VIA EXPRESS MAIL

BOX PATENT APPLICATIONS
Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

I hereby certify that the attached patent application consisting of twenty-three (23) pages of specification, thirteen (13) pages of claims, abstract, one (1) copy of nine (9) sheets of patent drawings, two (2) pages of an unexecuted Declaration, Power of Attorney, and Petition, a transmittal cover letter, and a check in the amount of \$690.00 in payment of the filing and recording fees, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to: BOX PATENT APPLICATIONS, Commissioner of Patents and Trademarks, Washington, D. C. 20231, under Express Mail Post Office to Addressee Label No. EL504377502US.

Respectfully submitted,

NIKOLAI, MERSEREAU & DIETZ, P.A.

Anna C. Lemke

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